



## **ORDINANCE 591**

**AN ORDINANCE AMENDING CHAPTER 225, ATTACHMENT 4, SCHEDULE A, FEES OF THE CODE OF THE TOWN OF ELSMERE BY AMENDING THE FEE STRUCTURE.**

**Sponsored by:**        **4th District Councilman Charles McKewen**

**First and Second Reading:**   January 08, 2015 Council Meeting

**Results:** \_\_\_\_\_

**Third and Final Reading:**   February 12, 2015 Council Meeting

**Results:** \_\_\_\_\_

# **ORDINANCE 591**

## **AN ORDINANCE AMENDING CHAPTER 225, ATTACHMENT 4, SCHEDULE A, FEES OF THE CODE OF THE TOWN OF ELSMERE BY AMENDING THE FEE STRUCTURE.**

**WHEREAS**, the fee structure contained in Attachment 4, Schedule A of Chapter 225 of the Code of the Town of Elsmere has not been updated since 2010 and;

**WHEREAS**, the fee structure is outdated and in need of adjustment.

### **NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF ELSMERE AS FOLLOWS:**

That Attachment 4, Schedule A, of Chapter 225 of the Code of the Town of Elsmere be repealed in its entirety and a new Attachment 4, Schedule A, of Chapter 225 is to be inserted in its place as follows:

#### ***ZONING 225 Attachment 4***

##### **Town of Elsmere**

##### **Schedule A, Fees**

The following is a list of fees that will be charged by the Code Enforcement Office for hearings before for the Planning Commission or Board of Adjustment or review by the Code Enforcement Office. These fees shall be in addition to the fees charged for building permits.

Additionally, when an application requires review or consultation with the Town's Engineering Firm or other professional service provider, the costs charged by those individuals or companies shall be paid to the Town by the applicant, prior to the application being heard by the Planning Commission, Board of Adjustment or final approval being granted.

#### **1. Land development and rezoning processing.**

##### **A. Subdivision/land development plans:**

Pre-application or exploratory sketch plan: \$200.

Preliminary plan without rezoning: \$200.

Preliminary plan with rezoning;

1 acre or less: \$1,000.

More than 1 acre: \$2,000 plus \$100 per acre.

Historic zoning overlay: no fee.

Major record plan:

1. Any Residential subdivision: \$500 plus \$20 per lot.
2. Any Residential land development: \$500 plus \$20 per unit.
3. Any Non-residential subdivision: \$750 plus \$40 per lot.
4. Any Non-residential land development: \$750 plus \$40 per 1,000 square feet gross floor area.

Minor record plan, re-subdivision:

1. Any Residential re-subdivision: \$300 plus \$20 per lot.
2. Any Non-residential: \$500 plus \$40 per lot.
3. Any Non-residential land development: \$500 plus \$40 per 1,000 square feet gross floor area.

B. Street plans:

Preliminary Plan: \$200.  
Record plan: \$300.

C. Conversion plans:

Initial submission: \$200.  
Record plan: \$600 plus \$20 per unit.

D. Subdivision and/or street renaming: \$200.

E. Title subdivision plan: \$200.

F. Utility plans:

Exploratory sketch plan: \$200.  
Record plan: \$300 plus \$20 per each page exceeding one.  
State, county and municipal governments shall be exempt from this subsection.

G. Variances:

Variance from subdivision standards for individual Residential lot or use: \$200.

Variance from subdivision standards for other Residential and Non-residential lots or uses: \$300.

H. Appeals:

From any finding, decision or recommendation of the Code Department:

With regard to subdivision standards affecting an individual Residential lot or use:  
\$200.

With regard to subdivision standards affecting other Residential and Non-residential lots or uses: \$1,000.

I. Plan recordation fees:

Shall be determined by the Recorder of Deeds.

- J.     Parking plans: \$200.
- K.     Site plan: \$200.  
  
          Site plan for temporary miscellaneous sales: \$100.
- L.     Revised landscape plan: \$200.

## **2. Hearing Fees.**

- A.     Dimensional variance for Residential use: \$200.
- B.     Dimensional variance for Non-residential use: \$300.
- C.     Use variance for Residential use: \$200.
- D.     Use variance for Non-residential use: \$300.
- E.     Special Exception use: \$300.
- F.     Special public hearing: \$500.
- G.     Public hearing request for a continuance.  
  
          For a Residential application:   \$100.  
          For a Non-residential application: \$250.
- H.     Any plan, request or use which requires the Planning Commission to review for the application for compliance with the Comprehensive Plan or to ensure the plan fits harmoniously with the neighborhood:   \$125.
- I.     All other hearings, permits, certificates or reviews required to be conducted by or issued by the Planning Commission or the Board of Adjustment: \$200.

## **3. Other.**

- A.     Zoning verification: \$50 per tax parcel or per request.
- B.     On-lot septic verifications: \$50 for the first tax parcel and \$5 for each additional tax parcel under the same owner within the same residential development.
- C.     Floodplain development permit: \$500.

D. Extractive use:

Preliminary review: \$500.

Rearing fee: \$2,000 for up to the first 25 acres, plus \$100 for each additional acre.  
Fee limit: \$20,000.

Ordained by the Mayor and Council of the Town of Elsmere on this 12<sup>th</sup> day of February 2015.

January 08, 2015  
First and Second Reading

February 12, 2015  
Third and Final Reading

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Steven E. Burg, Mayor

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Joann I. Personti, Secretary

Approved as to form:

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Town Solicitor

## **SYNOPSIS**

This Ordinance updates and clarifies fees that are to be charged by the Code Enforcement Department for hearings before the Planning Commission Board of Adjustment or review by the Code Enforcement Department. These fees shall be in addition to the fees charged for building permits.

## **Fiscal Impact**

Negligible, while the fee amounts have been reduced the fact that the fees which are due will now be clear and more fees are expected to be properly assessed, the reduced amount of those fees should balance out with the increase in the number.